

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
JERALD TIMES, Plaintiff, :  
: : 23cv3229 (DLC)  
-v- :  
: : ORDER  
SUCCESS ACADEMY CHARTER SCHOOLS, et al., Defendants. :  
:  
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DENISE COTE, District Judge:

On May 28, 2024, the defendants filed a renewed motion for summary judgment. The plaintiff filed his opposition to the motion on August 5. On August 9, the plaintiff requested permission to file an additional affidavit and a "correct summary" of his memorandum of law. An order of August 20 instructed the plaintiff to file a letter by August 27 informing the Court of the identity of the additional affiant and providing an explanation as to why the plaintiff did not timely submit the additional affidavit. The plaintiff's request to file a "correct summary" of his memorandum of law was denied. The plaintiff was further instructed that he may not further supplement his opposition to the motion for summary judgment without prior permission of the Court. The defendants' reply is due October 7.

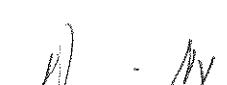
On August 27, the plaintiff filed a letter identifying the additional affiant as Bruce Pandolfini and explaining that the affiant was not able to find a notary before August 6. The letter is docketed as ECF No. 70. The plaintiff also filed the affidavit of Bruce Pandolfini, docketed as ECF No. 69. The plaintiff additionally filed a "brief summary" of his memorandum of law, docketed as ECF No. 68. Accordingly, it is hereby

ORDERED that the affidavit of Bruce Pandolfini is accepted and will be considered as part of the plaintiff's opposition to the defendants' motion for summary judgment.

IT IS FURTHER ORDERED that the "brief summary" of the memorandum of law shall be construed as a request for prior permission to file the "brief summary."

IT IS FURTHER ORDERED that the defendants shall file a letter by September 5 indicating whether they consent or object to the plaintiff's filing of the "brief summary" of the memorandum of law.

Dated: New York, New York  
September 3, 2024

  
DENISE COTE

United States District Judge